

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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.
UNITED STATES OF AMERICA, . Case No. 1:20-cr-077-3
Plaintiff, . Thursday, August 6, 2020
- v - . **Videoconference Initial**
NEIL CLARK, . **Appearance and Arraignment**
Defendant. . **on Indictment**
.
1:41 PM
Cincinnati, Ohio

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE KAREN L. LITKOVITZ, MAGISTRATE JUDGE

APPEARANCES (all present by videoconference):

For the Plaintiff: EMILY N. GLATFELTER, ESQ.
Assistant U.S. Attorney
United States Attorney's Office
221 East Fourth Street, Suite 400
Cincinnati, Ohio 45202

For the Defendant: WILLIAM S. IRELAND, II, ESQ.
William S. Ireland, Attorney At Law
85 Liberty Street
Columbus, Ohio 43215

Also present: Neil Clark

Courtroom Deputy: Arthur W. Hill

Court Reporter: Luke T. Lavin, RDR, CRR
Potter Stewart U.S. Courthouse
100 East Fifth Street, Room 103
Cincinnati, Ohio 45202
Telephone: (513) 564-7500

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P R O C E E D I N G S

(1:41 PM)

THE COURT: Okay. The next matter is *United States versus Neil Clark*.

Will counsel please enter your appearance for the record.

MS. GLATFELTER: Emily Glatfelter.

MR. IRELAND: (Unintelligible.)

THE COURT: Okay. Hang on a second.

Ms. Glatfelter for the United States. And who for Mr. Clark?

MR. IRELAND: Your Honor, may it please the Court, Will Ireland on behalf of Neil Clark.

THE COURT: I'm sorry. I -- I still can't hear your name.

MR. IRELAND: Will Ireland on behalf of Neil Clark.

THE COURT: Mr. Ireland; is that correct?

MR. IRELAND: Yes, Your Honor.

THE COURT: Okay. And is Mr. Clark present?

MR. IRELAND: He is, Your Honor.

THE COURT: And, Mr. Clark, do you want to give me a wave so I know who you --

THE DEFENDANT: (Complies with request.)

THE COURT: Okay. Thank you, sir.

All right. Mr. Clark, we are here for an initial appearance based on an Indictment that has been issued against you. The purpose of this hearing is to advise you of the

1 charge against you and also to advise you of your
2 constitutional rights.

3 You have been charged with conspiracy to participate,
4 directly or indirectly, in the conduct of an enterprise's
5 affairs to a pattern of racketeering activity. If you are
6 convicted of that charge, the potential penalty is imprisonment
7 for not more than 20 years and/or a fine of not more than the
8 greater of twice the amount of gain or loss associated with the
9 offense, or \$250,000 for individuals and \$500,000 for
10 organizations, a term of supervised release of not more than
11 three years.

12 Mr. Ireland, have you and your client received a copy of
13 the Indictment?

14 MR. IRELAND: Yes, Your Honor.

15 THE COURT: Mr. Clark, you have the right to retain an
16 attorney and to the assistance of counsel at every stage in
17 these proceedings. If at any time you are unable to afford a
18 lawyer, one will be appointed for you at the expense of the
19 government.

20 Do you understand your right to counsel?

21 THE DEFENDANT: I do, Your Honor.

22 THE COURT: You also have the right to remain silent
23 and not to make any statements. Anything you say regarding the
24 facts or the merits of the charge pending against you could be
25 used by the government in prosecuting you on that charge. This

1 means that if you've made a statement, you're not required to
2 say any more, and if you start to make a statement, you may
3 stop at any time.

4 You have the right to consult with your lawyer prior to any
5 questioning. You also have the right to have your lawyer
6 present during any questioning.

7 Do you have -- do you understand your right to remain
8 silent?

9 THE DEFENDANT: I do, Your Honor.

10 THE COURT: Okay.

11 I understand that bond was issued in connection with this
12 case as well. Is that correct, Ms. Glatfelter?

13 MS. GLATFELTER: Yes, Your Honor.

14 THE COURT: All right.

15 Mr. Ireland, are you and your client prepared to go forward
16 with the arraignment?

17 MR. IRELAND: Yes, Your Honor.

18 THE COURT: And does your client wish to have the
19 Indictment read in open court?

20 MR. IRELAND: Your Honor, we'll waive reading.

21 THE COURT: Okay. And how does your client plead?

22 MR. IRELAND: Not guilty, Your Honor.

23 THE COURT: Okay. A plea of not guilty will be
24 entered on behalf of Mr. Clark.

25 This matter is concluded with regard to Mr. Clark. Thank

1 you.

2 (Proceedings concluded at 1:44 PM.)

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4 C E R T I F I C A T E

5 I, Luke T. Lavin, RDR, CRR, the undersigned, certify
6 that the foregoing is a correct transcript, to the best of my
7 ability, from the videoconference record of proceedings in the
8 above-entitled matter.

9
10 s/Luke T. Lavin

11 Luke T. Lavin

12 Official Court Reporter

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